



RAVALLI COUNTY ATTORNEY

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TO: Laura Hendrix ✓
CC: Commissioners ✓
FROM: Alex Beal, Deputy AB
DATE: April 12, 2007

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Ravalli County Commissioners

RE: Your Request for Legal Review, Michaud Floodplain Issues

Included in the last request for legal review from the Planning Department was the Michaud Floodplain Violation (VLTN 06-02). In addition to reviewing that correspondence, we also spoke about this matter on April 10, 2007. From those sources, I understand that:

- The Michaud's built a home within the mapped 100-year floodplain which is not allowable under the Ravalli County Floodplain Regulations
- The Michaud's discovered this when their house was under water last Spring
- The Michaud's have temporarily moved their home to a spot on higher ground on their parcel
- The Michaud's had sought to permanently move their home to another spot on their parcel, but their entire parcel has been determined to be within the elevational floodplain
- The Michaud's have since sought to do a boundary line relocation with a neighbor in order to create a buildable lot
- Even with their proposed boundary line relocation, there is not a large enough space of "dry ground" to place their home

While I appreciate the Michaud's problem, and I would no doubt be heartbroken if this had happened to me, it appears that the Michaud's have not yet proposed any solutions that can be legally accomplished. It appears from what you have described that there is no physical way that a home of that size can be placed on that parcel of land (or even the adjoining parcel) and be outside of the floodplain. It is also my understanding that no one from Ravalli County has ever encouraged them to build their home on this site, or even told them that it is permissible. As I am sure you are, I am more than willing to consider other proposals from them, and I will continue to try to think of them myself, as well. However, at this time it appears that they will need to find a new parcel to place their home on. Perhaps this is a sign that more public education of floodplain issues is necessary for the building community.